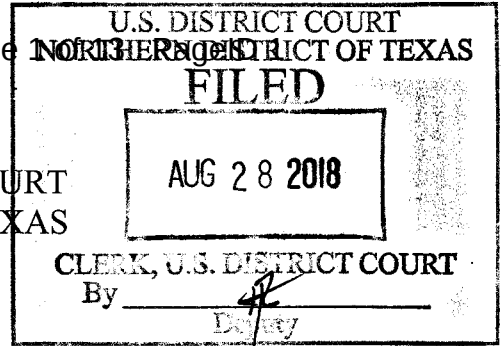


ORIGINAL



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

NO.

v.

SHAWNETTA LARUTH JONES

3-18CR-429-L

INDICTMENT

The Grand Jury Charges:

Introduction

At all times material to this Indictment:

1. 18 U.S.C. § 922(a)(6) makes it a crime for anyone to make a false or fictitious oral or written statement to a licensed firearms dealer in order to acquire a firearm. A statement is “false or fictitious” if it was untrue when made and was then known to be untrue by the person making it. A false statement is “likely to deceive” if the nature of the statement, considering all of the surrounding circumstances at the time it is made, is such that a reasonable person of ordinary prudence would have been actively deceived or misled.

2. The term “firearm” means any weapon that will or is designed to or may readily be converted to expel a projectile by the action of an explosive. The term “firearm” also includes the frame or receiver of any such weapon, or any firearm muffler or firearm silencer, or destructive device.

3. A Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) Form 4473, Firearms Transaction Record, must be completed by a prospective purchaser of a

firearm to affect the sale of a firearm from a licensed firearms dealer. Specifically, Question 11.a. requires the prospective purchaser to certify—under penalty of law—if he or she is “the actual transferee/buyer of the firearm(s) listed on this form,” which is a fact material to the lawfulness of the firearm sale. If a person purchases a firearm for someone else but claims that he or she is “the actual transferee/buyer of the listed firearm(s),” the firearm acquisition is called a *straw purchase* and this conduct is also commonly called *lying-and-buying*, which is a violation of 18 U.S.C. § 922(a)(6).

4. 18 U.S.C. § 2 makes it a crime—and treats anyone the same as a principal offender—for anyone who (a) commits an offense against the United States; (b) aids, abets, counsels, commands, induces, or procures another to commit an offense against the United States; or (c) willfully causes an act to be done which if directly done by him or another would be an offense against the United States.

5. Uncle Dan’s Pawn Jewelry & Gun Sales, Inc. located at 3711 Gus Thomasson Road, Mesquite, Texas, was a licensed firearms dealer—Federal Firearm License Number 5-75-113-02-9G-05550—within the meaning of Chapter 44, Title 18, United States Code, at all times specified in this Indictment.

Count One

Conspiracy to Acquire a Firearm from a
Licensed Firearms Dealer by False or Fictitious Statement
(Violation of 18 U.S.C. § 371)

6. All information alleged in Paragraphs 1-5 of this indictment is realleged and incorporated by reference as if fully set forth herein.

7. On or about April 14, 2017, in the Dallas Division of the Northern District of Texas, **Shawnetta LaRuth Jones**, the defendant, did knowingly, intentionally and unlawfully combine, conspire, confederate, and agree together and with other persons known and unknown to the Grand Jury, to commit a certain offense against the United States, to-wit: Acquiring a Firearm from a Licensed Firearms Dealer by a False or Fictitious Statement, in violation of 18 U.S.C. § 922(a)(6).

Objects of the Conspiracy

8. It was part of the conspiracy that **Shawnetta LaRuth Jones** and Person A, a convicted felon, discussed and planned with each other the acquisition of a firearm from a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, by false or fictitious statements intended or likely to deceive the dealer with respect to any fact material to the lawfulness of the firearm sale. At the time, **Shawnetta LaRuth Jones** was involved in a romantic relationship with Person A, and she was Person A's former parole officer.

Manner and Means

9. It was part of the conspiracy that **Shawnetta LaRuth Jones** and Person A, a convicted felon, formulated a plan and agreement which, among other things, included:

- a. the selection of the licensed firearms dealer;
- b. the selection of the type of firearm to be purchased;
- c. the acquisition of a firearm from a licensed firearms dealer;
- d. the use of false and fictitious oral and written statements intended to deceive the firearms dealer with respect to any fact material to the lawfulness of the firearm sale;
- e. falsely answering "Yes" to Question 11.a. on Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF") Form 4473, Firearms Transaction Record, in that the purchaser attests—under penalty of law—that she is "the actual transferee/buyer of the firearm(s) listed on this form," which is a fact material to the lawfulness of a firearm sale; and
- f. the subsequent transfer of the firearm to another.

Overt Acts in Furtherance of the Conspiracy

10. The following overt acts were committed by the coconspirators in furtherance of the conspiracy:

a. On or about April 14, 2017, Person A—having been convicted for a crime punishable by imprisonment for a term exceeding one year, that is, a felony offense—went to Uncle Dan's Pawn Jewelry & Gun Sales, Inc. in Mesquite, Texas, and attempted to purchase a Cobra, model FS380, .380 caliber pistol, bearing serial number FS114974, and falsely asserted on the ATF Form 4473 that he had not been convicted for a felony offense, but the firearm purchase was denied.

b. On or about April 14, 2017, **Shawnetta LaRuth Jones**, after Person A failed to obtain the Cobra .380 caliber pistol, went to Uncle Dan's Pawn Jewelry & Gun Sales, Inc. in Mesquite, Texas, and inquired about purchasing the Cobra .380 caliber pistol that Person A attempted to purchase earlier that day.

c. On or about April 14, 2017, while at Uncle Dan's Pawn Jewelry & Gun Sales, Inc., **Shawnetta LaRuth Jones** instead purchased a Taurus, model PT738, .380 caliber pistol, bearing serial number 1D081292, from the pawn shop and falsely answered "Yes" to Question 11.a. on the ATF Form 4473 in that **Shawnetta LaRuth Jones** attested—under penalty of law—that she was "the actual transferee/buyer of the firearm(s)" listed—a fact material to the lawfulness of a firearm sale—while knowing that this statement was false.

d. On or about April 14, 2017, after purchasing the Taurus .380 caliber pistol from Uncle Dan's Pawn Jewelry & Gun Sales, Inc., **Shawnetta LaRuth Jones** provided this firearm, and a box of Aguila brand .380 caliber ammunition, to Person A, knowing that Person A had been convicted of a crime punishable by imprisonment for a term exceeding one year, that is, a felony offense.

In violation of 18 U.S.C. § 371.

Count Two

Acquiring a Firearm from a Licensed Firearms Dealer
by False or Fictitious Statement; Aiding and Abetting
(Violation of 18 U.S.C. §§ 922(a)(6) and 2)

11. All information alleged in Paragraphs 1-10 of this indictment is realleged and incorporated by reference as if fully set forth herein.

12. On or about April 14, 2017, in the Dallas Division of the Northern District of Texas, **Shawnetta LaRuth Jones**, the defendant, and Person A, aiding and abetting one another, in connection with the acquisition of a firearm, to-wit: a Taurus, model PT738, .380 caliber pistol, bearing serial number 1D081292, from Uncle Dan's Pawn Jewelry & Gun Sales, Inc., a licensed dealer of firearms within the meaning of Chapter 44, Title 18 United States Code, knowingly made a false and fictitious written statement to Uncle Dan's Pawn Jewelry & Gun Sales, Inc., which statement was intended and likely to deceive Uncle Dan's Pawn Jewelry & Gun Sales, Inc., as to a fact material to the lawfulness of such sale of said firearm to **Shawnetta LaRuth Jones** under Chapter 44 of Title 18, in that **Shawnetta LaRuth Jones** did execute a Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF") Form 4473, Firearms Transaction Record, to the effect that she was the actual buyer of said firearm, when in fact, as **Shawnetta LaRuth Jones** then knew, she was not the actual buyer of the firearm.

In violation of 18 U.S.C. §§ 922(a)(6) and 2, the penalty for which is found at 18 U.S.C. § 924(a)(2).

Count Three

False Statement with Respect to Information Required to be
Kept in Records of a Licensed Firearms Dealer
(Violation of 18 U.S.C. § 924(a)(1)(A))

13. All information alleged in Paragraphs 1-12 of this indictment is realleged and incorporated by reference as if fully set forth herein.

14. 18 U.S.C. § 924(a)(1)(A) makes it a crime for anyone to make a false statement or representation with respect to the information required to be kept of a licensed firearms dealer under Chapter 44, Title 18, United States Code. Chapter 44, Title 18, United States Code, requires that a licensed firearms dealer keep in its records the name and address of the actual transferee/buyer of the firearm. Specifically, this information is recorded in Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) Form 4473, Firearms Transaction Record, which is a record kept by the dealer as required by law.

15. On or about April 14, 2017, in the Dallas Division of the Northern District of Texas, **Shawnetta LaRuth Jones**, the defendant, made a false statement and representation to Uncle Dan’s Pawn Jewelry & Gun Sales, Inc., a federally licensed firearms dealer under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Uncle Dan’s Pawn Jewelry & Gun Sales, Inc., in that **Shawnetta LaRuth Jones** did execute a Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) Form 4473, Firearms Transaction Record, to the effect that she was the actual transferee/buyer of a Taurus, model PT738, .380 caliber pistol, bearing serial

number 1D081292, whereas in truth and in fact, she was not the actual transferee/buyer of this firearm.

In violation of 18 U.S.C. § 924(a)(1)(A).

Count Four

Felon in Possession of a Firearm and Ammunition; Aiding and Abetting
(Violation of 18 U.S.C. §§ 922(g)(1) and 2)

16. On or about April 14, 2017, in the Dallas Division of the Northern District of Texas, **Shawnetta LaRuth Jones**, the defendant, did knowingly aid and abet Person A to unlawfully possess in and affecting interstate and foreign commerce a firearm, to-wit: a Taurus, model PT738, .380 caliber pistol, bearing serial number 1D081292, and firearm ammunition, to-wit: Aguila brand .380 caliber ammunition, knowing that Person A had been convicted of a crime punishable by imprisonment for a term exceeding one year, that is, a felony offense.

In violation of 18 U.S.C. §§ 922(g)(1) and 2, the penalty for which is found at 18 U.S.C. § 924(a)(2).

Forfeiture Notice
(18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c))

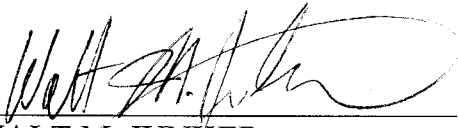
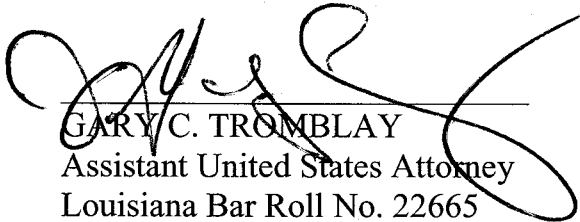
17. Upon conviction for the offense alleged in Counts One, Two, Three, and Four of this Indictment, and pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), **Shawnetta LaRuth Jones**, the defendant, shall forfeit to the United States of America any firearm and ammunition involved in the commission of the respective offenses, including but not limited to the following:

- a. Taurus, model PT738, .380 caliber pistol, bearing serial number 1D081292;
- b. any ammunition recovered with this firearm; and
- c. Aguila brand .380 caliber ammunition [**recovered from Person A**].

A TRUE BILL

FOREPERSON

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DALLAS DIVISION

THE UNITED STATES OF AMERICA

v.

SHAWNETTA LARUTH JONES

INDICTMENT

18 U.S.C. § 371

Conspiracy to Acquire a Firearm from a Licensed Firearms
Dealer by False or Fictitious Statement
(Count 1)

18 U.S.C. §§ 922(a)(6) and 2

Acquiring a Firearm from a Licensed Firearms Dealer
by False or Fictitious Statement; Aiding and Abetting
(Count 2)

18 U.S.C. § 924(a)(1)(A)

False Statement with Respect to Information Required to be
Kept in Records of a Licensed Firearms Dealer
(Count 3)

18 U.S.C. §§ 922(g)(1) and 2

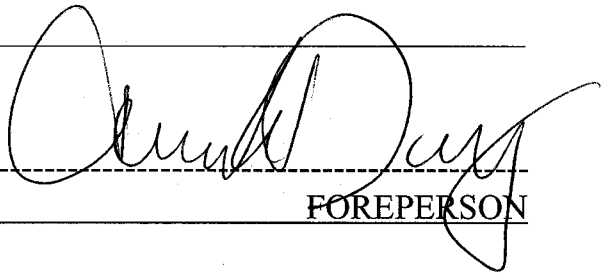
Felon in Possession of a Firearm and Ammunition; Aiding and Abetting
(Count 4)

18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c)

Forfeiture Notice

4 Counts

A true bill rendered



DALLAS

FOREPERSON

Filed in open court this 28th day of August, 2018.

Warrant to be Issued



UNITED STATES MAGISTRATE JUDGE

No Criminal Matter Pending